



Ohio Administrative Code Rule 4901:1-10-31 Environmental disclosure.

Effective: December 20, 2014

(A) This rule establishes a process by which customers are assured of receiving information, in a timely and consistent manner, concerning the approximate retail generation resource mix and environmental characteristics associated with electric power offered in Ohio's competitive marketplace.

(B) This rule applies to all electric utilities providing a standard offer for retail electric generation service.

(C) Determination of environmental disclosure data.

(1) Contents of environmental disclosure data.

(a) Approximate generation resource mix.

Each electric utility shall specifically identify each of the following generation sources used in the generation of the power that is made available under its standard offer: biomass power, coal-fired power, hydro power, natural gas-fired power, nuclear power, oil-fired power, other sources, solar power, and wind power.

The electric utility shall exercise all reasonable efforts to identify the power source or resource used to generate the power in question. The electric utilities shall maintain documentation sufficient to demonstrate the steps taken to make such identification.

(b) Environmental characteristics.

Electric utilities shall report the environmental characteristics typically associated with the generation resources used to generate the power that is made available under their respective standard offers.



Electric utilities shall also report the air emissions of nitrogen oxides, sulfur dioxide, and carbon dioxide associated with the generation of power being offered under their respective standard offers.

In addition, electric utilities shall report the generation of high- and low-level radioactive waste associated with the power being offered under their standard offers.

(2) Methodology for determining environmental disclosure data.

(a) Any new electric utility shall submit to the staff, at least thirty days prior to commencing operations, its proposed methodology for determining its environmental disclosure data. Such submittal shall detail the proposed methodology for completing the required annual projection, as well as the methodology for determining and compiling the required quarterly actual data.

(b) The actual environmental disclosure data, to be provided quarterly, shall be verifiable. Each electric utility shall maintain documentation sufficient to demonstrate the accuracy of the actual environmental disclosure data.

(c) When calculating the generation resource mix, the electric utility shall assume that purchased energy has the same generation resource mix as the regional generation resource mix for the twelve month period of June first to May thirty-first, as provided by the electric utility's regional transmission organization or independent system operator.

(3) Each electric utility shall submit to staff for its review and approval a proposal for incorporating the use of renewable energy credits (RECs) into its annual and quarterly environmental disclosures. The electric utility shall provide statements, when applicable:

(a) That the electric utility sold RECs from one of its electric generating facilities.

(b) That the electric utility purchased RECs as a means of complying, in part or whole, with a renewable energy resource benchmark under the states alternative energy portfolio standard requirements.



(c) Whether the electric utility complied with the renewable energy resource benchmark under the state's alternative energy portfolio standard requirements.

(4) Timing for disclosing environmental disclosure data.

(a) Electric utilities shall annually project their environmental disclosure data for at least the subsequent calendar year.

(b) Electric utilities shall also complete no less than quarterly comparisons of actual to projected environmental disclosure data.

(c) Below is the schedule applicable to the environmental disclosure process.

January - disclosure of projected environmental disclosure data for current calendar year.

March - disclosure of actual environmental disclosure data for the prior calendar year, compared to the projected environmental disclosure data from prior calendar year.

June - disclosure of actual environmental disclosure data for January through March of current year, compared to projected data for current calendar year.

September - disclosure of actual environmental disclosure data for January to June of current year, compared to projected data for current calendar year.

December - disclosure of actual environmental disclosure data for January through September of current year, compared to projected data for current calendar year.

(D) Environmental disclosure to the commission.

(1) Content.

Each customer shall receive environmental disclosure data, as detailed in paragraph (C) of this rule.



(2) Format.

The environmental disclosure data shall be provided in a standardized format in order to facilitate comparisons by customers. This data shall be disclosed in not less than a ten-point font. The presentation of this data shall comply with each of the following requirements:

(a) A pie chart shall be provided which illustrates on a percentage basis the various generation resources, as detailed in paragraph (C)(1)(a) of this rule, used in the generation of power that is made available under the standard offer.

The percentages shall be rounded to the nearest one-half per cent. The pie chart shall not include colors, but shall include the use of shading and labels to more clearly communicate the information.

To the extent the patterns set forth in appendices A and B to this rule cannot be duplicated exactly, electric utilities shall exercise reasonable efforts to simulate the required shading to the extent possible.

(b) A table shall be provided which illustrates the typical environmental characteristics associated with the generation resource categories detailed in paragraph (C)(1)(a) of this rule.

The general categories and assumptions to be depicted in the table are as follows:

Biomass power - results in air emissions and solid waste.

Coal-fired power - results in air emissions and solid waste.

Hydro power - results in wildlife impacts.

Natural gas-fired power - results in air emissions and solid waste.

Nuclear power - results in radioactive waste.

Oil-fired power - results in air emissions and solid waste.



Other sources - results in unknown impacts.

Solar power - results in no significant impacts.

Wind power - results in wildlife impacts.

(c) The product-specific air emissions shall be presented in a bar chart, along with a regional average emission reference. The product-specific emission rates shall appear as a percentage of the average regional emission rate for each of the three types of air emissions. Percentages shall be calculated from comparison of product-specific and average regional emission rates on a basis of pounds emitted per megawatt hour.

(d) The figures reflecting the generation of radioactive wastes shall be presented in a table. High-level radioactive waste shall be reported in pounds per one thousand kilowatt hours (kWh), while low-level radioactive waste is to be reported in cubic feet per one thousand kWh. Any radioactive waste greater than zero but less than ".0001" shall be depicted as "<0.0001."

For use in the implementation of this rule, the following definitions shall apply:

High-level radioactive waste - means nuclear fuel that has been removed from a nuclear reactor.

Low-level radioactive waste - means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in section 11(E)(2) of the "Atomic Energy Act of 1954," 68 Stat. 921, 42 U.S.C. 2014(e)(2), as amended by the Price-Anderson Amendments Act of 2005, 119 Stat. 779.

(e) The annual projection of approximate generation resource mix and environmental characteristics shall appear as depicted in appendix A to this rule. The regional average data, if available, will be updated by the commission by December first of each year or as conditions warrant.

The quarterly comparisons of actual environmental disclosure data to projected environmental disclosure data, comprised of data specific to the electric utility's standard offer, shall appear as depicted in appendix B to this rule.



(f) Each electric utility shall maintain records detailing the magnitude of each environmental characteristic associated with the generation resource^{3s}. Such details shall be provided to customers and staff upon request. Such details may be included on an electric utility's website.

(g) The electric utility may include other information that it feels is relevant to the required environmental disclosure data, provided this additional information is distinctly separated from the required information. The electric utility shall maintain sufficient documentation to permit verification of the accuracy of any additional information that is disclosed.

(3) Timing.

(a) Annual projection.

Consistent with the schedule presented in paragraph (C)(4) of this rule and the format depicted by appendix A of this rule, the most recent projection of environmental disclosure data shall be provided to each customer of the standard offer for generation service via a link to the EDU's website or the PUCO environmental disclosure information for consumers website or, at the request of the customer, a hardcopy of the data shall be provided at no cost to the customer.

(b) Quarterly comparisons of actual to projected environmental disclosure data.

The comparison of actual to projected environmental disclosure data shall be provided to customers on a quarterly basis consistent with both the schedule presented in paragraph (C)(4) of this rule and the format as depicted by appendix B to this rule.

These items will be disclosed to customers via a link to the EDU's website or the PUCO environmental disclosure information for consumers website or, at the request of the customer, a hardcopy of the data shall be provided at no cost to the customer.

(E) Environmental disclosure to the commission.

Each electric utility shall submit its annual projection and quarterly comparisons of environmental



disclosure data to the deputy director of the utilities department or their designee consistent with the schedule presented in paragraph (C)(4) of this rule. The information provided to the staff shall be identical in content and format to that provided to customers.

(F) The generation resource mix disclosed pursuant to this rule should not be used as an indicator of an electric utility's compliance with section 4928.64 of the Revised Code.